

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-6 and 9-12 are pending and rejected. In this response, claims 1, 10, and 11 have been amended to particularly point out and distinctly claim the subject matter which Applicant regards as his invention. In addition, claims 13-15 have been added. Thus, claims 1-6, and 9-15 remain pending. No new matter has been added.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-3, 5, 7, and 10-12 have been rejected under 35 U.S.C. §102(e) as being anticipated by Coleman U.S. 2003/0121007. Applicant respectfully submits that claim 1 is patentable over the cited reference because Coleman does not disclose all of the limitations of the claim. Claim 1, as amended, recites:

An image processing apparatus comprising:
 an image attribute determining unit to determine an image attribute of an image data;
 an object dividing unit to divide the image data into a plurality of objects based on the image attribute; and
 an object describing unit to describe the objects in predetermined formats and convert the objects into a file of a predetermined file format, wherein
 the object describing unit describes an object having a predetermined image attribute among the objects by linking an additional object representing attribute information on the predetermined image attribute with the object having the predetermined image attribute, wherein the additional object includes:
 an object comprising an image pattern that indicates an image attribute; and
 an object that brings said image pattern into invisible state. (Emphasis added).

Applicant respectfully submits that claim 1 requires that the additional object includes an object comprising an image pattern that indicates an image attribute and an object that brings said image pattern into invisible state. Coleman fails to disclose at least these limitations of the claim.

Coleman is directed to a printing system for use in printing objects of any of a plurality of different object types that includes a printer and a printer control device. The printer control device, via the user interface, associates printer-independent print-quality characteristics with a selected object type to be printed by the printer. The printer-independent print-quality characteristic is an instruction associated with an element, such as object type, in an electronic

page which indicates printer independent features that are preferentially emphasized when printing the element (e.g., “make sharp edges, reduce mottle, distinguish neighboring colors, reduer moiré, etc). Coleman, Abstract. Coleman discloses that at least one printer-independent print-quality characteristics is *associated* with the at least one image object, and *the association information* is inserted into the PDL file. The Office action equates “the association information” with an object, and that “the association information” is invisible. However, claim 1, as amended, recites that the additional object includes an object having an image pattern that indicates an image attribute and an object that brings said image pattern into invisible state. Nothing in Coleman, however, discloses that the association information (interpreted by the Office action to read on “ an additional object”) includes an object that includes an image pattern and an object that brings said image pattern into invisible state, as required by the claim. As such, Coleman fails to disclose all the limitations of the claim.

Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claim 1 is patentable over the cited reference. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 102(e) be withdrawn.

Given that claims 2-6, 9, and 13 depend from independent claim 1, which is patentable over the cited reference, Applicant respectfully submits that dependent claims 2-6, 9, and 13 are also patentable over the cited reference. Accordingly, Applicant requests that the rejection of claims 2-3, 5, 7, and 9 under 35 U.S.C. § 102(e) be withdrawn.

Applicant respectfully submits that claims 10 and 11 are patentable over the cited reference for similar reasons described above with respect to claim 1. Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claims 10 and 11 are patentable over the cited reference. Accordingly, Applicant requests that the rejection of claims 10 and 11 under 35 U.S.C. § 102(e) be withdrawn.

Given that claim 10, 12, and 15 depends from independent claims 10 and 11, which are patentable over the cited reference, Applicant respectfully submits that dependent claim 10, 12, and 15 are also patentable over the cited reference. Accordingly, Applicant requests that the rejection of claim 12 under 35 U.S.C. § 102(e) be withdrawn.

Claims 1, 2, and 7-9 have been rejected under 35 U.S.C. §102(b) as being anticipated by Nicholson U.S. 2002/0067859. Applicant respectfully submits that claim 1 is patentable over the cited reference because Nicholson does not disclose all of the limitations of the claim. Claim 1, as amended, recites:

An image processing apparatus comprising:
 an image attribute determining unit to determine an image attribute of an image data;
 an object dividing unit to divide the image data into a plurality of objects based on the image attribute; and
 an object describing unit to describe the objects in predetermined formats and convert the objects into a file of a predetermined file format, wherein
 the object describing unit describes an object having a predetermined image attribute among the objects by linking an additional object representing attribute information on the predetermined image attribute with the object having the predetermined image attribute, wherein the additional object includes:
 an object comprising an image pattern that indicates an image attribute; and
 an object that brings said image pattern into invisible state. (Emphasis added).

Applicant respectfully submits that claim 1 requires that the additional object includes an object comprising an image pattern that indicates an image attribute and an object that brings said image pattern into invisible state. Nicholson fails to disclose at least this limitation of the claim.

Nicholson is directed to a system for producing a raster image derived from coded and non-coded portions of a hybrid data structure from an input bitmap. The system includes a data processing apparatus and a recognizer which performs recognition on an input bitmap to detect identifiable objects within the input bitmap. The hybrid data structure includes coded data corresponding to the identifiable objects and non-coded data derived from portions of the input bitmap which do not correspond to the identified objects (non-identifiable objects). Nicholson, Abstract. Nicholson also discloses that the hybrid data structure can be stored in PDF format by storing recognized word labels as coded text (e.g., PostScript) and unrecognized word labels as both non-coded bitmaps and as “invisible” text to enable searching. That is, the unrecognized word objects (i.e., the word label in a list having the highest confidence) can be displayed, but have the same color as the background to appear “invisible” and allow the non-coded bitmap to be displayed over the unrecognized words. The invisible word objects can still be compared to the search word and located by an error-tolerant search mechanism. Nicholson, paragraph 100.

Although Nicholson discloses that a recognizer performs recognition on an input bit map to detect identifiable objects within the bitmap, nothing in Nicholson discloses linking an additional object that includes an object having an image pattern that indicates an image attribute, and an object that brings the image pattern into invisible state. As such, Nicholson fails

to disclose at least these limitations.

Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claim 1 is patentable over the cited reference. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn.

Given that claims 2-6, 9, and 13 depend from independent claim 1, which is patentable over the cited reference, Applicant respectfully submits that dependent claims 2-6, 9, and 13 are also patentable over the cited reference. Accordingly, Applicant requests that the rejection of claims 2 and 7-9 under 35 U.S.C. § 102(b) be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Colman in view of Amedei U.S. 6,176,566. Applicant respectfully submits that claim 4 is patentable over the combination of cited references because the combination of cited references does not disclose all of the limitations of the claim. As described above with respect to claim 1, to which claim 4 depends, Coleman fails to disclose all the limitation of claim 1. Amedei fails to cure the deficiencies of Coleman. Given that the combination of cited references fails to disclose all the limitations of the claims, Applicant respectfully submits that dependent claim 4 is also patentable over the combination of cited references. Accordingly, Applicant requests that the rejection of claim 4 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: June 16, 2008

By: /Michael J. Mallie/
Michael J. Mallie
Reg. No. 36,591

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(408) 720-8300